

JRO:MKD:ljc 37168 \pleading\37168Objection1

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

MICHAEL B. HANDRIGAN

VS.

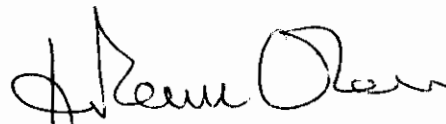
C.A. NO. 04-12491 NMG

TRAVIS & NATALIE, INC.,
Owner of F/V TRAVIS & NATALIE

**DEFENDANT'S OBJECTION TO PLAINTIFF'S
RULE 59(e) MOTION FOR RECONSIDERATION**

Comes now your defendant in the above entitled action and hereby objects to plaintiff's motion for reconsideration of this Court's decision transferring venue of the instant case to the Federal District Court for the District of Rhode Island pursuant to 28 U.S.C. §1404(a). Judgment has not been entered and therefore, Rule 59(e) has no application. Further, defendant respectfully suggests that this Court no longer has jurisdiction over the instant case, since it has already been transferred to the Federal District Court in Rhode Island. In any case, the Supreme Court case law cited by plaintiff does not support his argument that transfer of venue was improper. Defendant relies on the attached memorandum of law in support of its objection.

DEFENDANT,
By its Attorney,

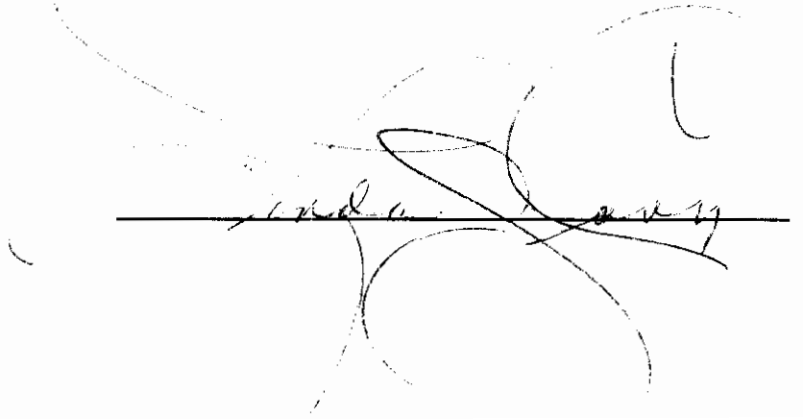


J. Renn Olenn, Esq. #642090
OLENN & PENZA, LLP
530 Greenwich Avenue
Warwick, RI 02886
PHONE: (401) 737-3700
FAX: (401) 737-5499

CERTIFICATION

I certify that I sent a true copy of the within on 7.27.05 to:

David B. Kaplan, Esq.
THE KAPLAN/BOND GROUP
88 Black Falcon Avenue, Suite 301
Boston, MA 02210

A handwritten signature, likely of David B. Kaplan, is written over a horizontal line. The signature is stylized and cursive, with the name 'David B. Kaplan' being legible. There are additional scribbles and loops around the signature.